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Confusions and Disagreements about the Rotten in Politics

Molly Brigid McGrath
Assumption College

Robert G. Boatright
Clark University

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Chapter 13

Confusions and Disagreements about the Rotten in Politics

Robert G. Boatright and Molly Brigid Flynn

It is hardly original to point out that "corruption" is a word with many meanings. For instance, Daniel Hays Lowenstein refers to corruption as an "essentially contested concept" with no defined boundary, and Michael Johnston and Robert Klitgaard both suggest that the definition of corruption is necessarily imprecise because what counts as corrupt varies from one culture to the next.[1] It is almost obligatory for edited volumes on corruption to provide a taxonomy of different types of corruption, to differentiate between individual and institutional or systemic corruption, to comment on the lack of consensus of which particular behaviors constitute corruption, to point out that definitions of corruption vary across cultures, or simply to point out that we don't agree on exactly what it is. Such commentary seems entirely appropriate in compendia of historical or social scientific research; it is good to question the precise definitions of the terms we use.

Academic inquiry into corruption is linked to many other fields of study. In the political context, research into corruption tends to overlap with research into party finance, lobbying, or political advocacy. In the economic context, corruption research tends to overlap with studies of corporate governance, business management, and business/government relations. Sociological research into corruption often focuses upon organizational rules and procedures. These studies overlap because they all address corruption as an institutional and moral problem. At the same time, however, the further away one gets from basic definitional questions, the more one risks losing the context that the history of philosophical thought about corruption provides. It is in such a context, we hope to show, that these various studies can be seen as addressing a single morally significant phenomenon in human institutions. Although there are different senses of corruption, these senses are related, and understanding these relationships should help us do three important things:

appreciate corruption as a perennial human problem, guard against rhetorical abuses of the term that are liable to agitate rather than to encourage helpful policy solutions, and guard against expansions of the term that might confuse more than they illuminate.

The abuses and expansions of which we speak are not necessarily committed by researchers such as our fellow contributors to this volume, but by those who would make corruption a feature of public discussion. Those who do research on corruption, however, have a responsibility to guard against casual use of the term by others. What in this chapter we call "corruption talk" is often a feature of political discourse. Such talk has become more prominent in elite political discourse in many Western democracies over the past two decades despite the fact that the sorts of corrupt acts and arrangements profiled in this book are not becoming more common in these same countries. For evidence supporting this claim, consider Figure 1. The N-gram here shows that references to "corrupt politicians" have steadily increased in the United States over the past thirty years, despite a lack of any obvious increase in actual corruption or an overwhelmingly newsworthy event.[2] Data for other nations show a similar increase. In other words, there is a lot of talk about "corruption" today in public political discussions, but much of this talk is not about corruption in its precise political and legal meanings.

We would propose that some of this increase in "corruption talk" is due to the value of the word itself as a political weapon. As such, it tends to be divorced from persons—to serve as a free-floating antagonist, an unmeasurable monster to be slain but lacking definite location. In our experience as observers of American politics, we have noted the frequency of more general references to corruption. In the late 1990s, for instance, many proponents of campaign finance reform sought to reframe conventional arguments about limiting types of political contributions as a matter of reducing corruption.[3]

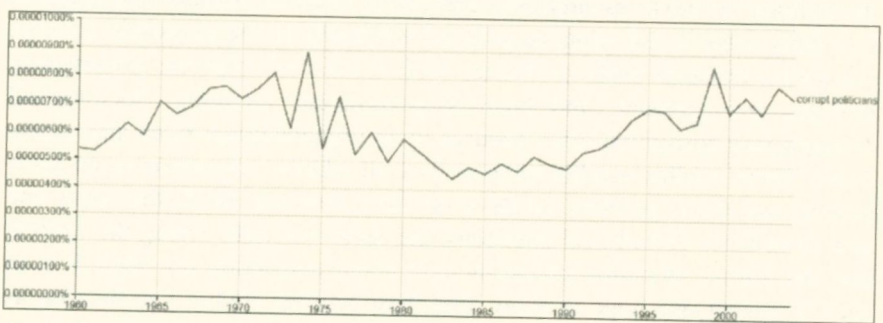

Figure 13.1 Figure 13.1: References to "Corrupt Politicians" in US Non-Fiction Books, 1960–2004. *Source*: Google Ngram. *Note*: This figure shows changes in the frequency of the term in all English-language books published in the United States over this time period. For explanation of the methodology, see https://books.google.com/ngrams/info.

More recently, left-leaning legal scholars such as Lawrence Lessig and Zephyr Teachout published well-received books on corruption, and conservative journalists such as Jay Cost have also addressed the topic.[4] In almost all of these instances, the corruption under investigation was said to be a systemic problem characterized not just by individual acts but by a larger decay in representative government. Our institutions are corrupt, but neither the people, nor necessarily the people who operate within government, are accused of corrupt acts. The increased use of the word indicates that we are more worried than we used to be about *something like* corruption; that instances of textbook corruption by people accusers are willing to name suggests that we should try to figure out more clearly what exactly we are more worried about, when it is not, precisely, corruption.

Such increased references are undoubtedly at least partially prompted by the U.S. Supreme Court's assertion in *Buckley v. Valeo* that "corruption, or the appearance of corruption" is the sole justification for restricting election-related spending. Such references may have increased further when subsequent Court decisions (most notably the *Citizens United v. Federal Election Commission* decision) began to reject the "appearance of" half of this duo.[5] Yet the Court's language does not seem solely responsible for usage of the term by elites; and even if so, it does not seem to us an appropriate reason for changes in the meaning of the term. Furthermore, the problems afoot here apply to other nations as well.

As we shall argue below, such uses of the term "corruption" are to be guarded against. As Laura Underkuffler has shown, allegations of corruption unavoidably connote judgments of character, which render it difficult to use in a legal context.[6] We would go further, however. In most Western nations, there is a tradition of viewing corruption in moral or biblical terms—as a sort of ethical rot, or as a falling-away from the good toward evil. These connotations make corruption claims appealing for those seeking a dramatic effect. When these claims are about wrongdoing, they may effectively stigmatize particular behaviors or persons. When they are made about political systems, ideologies, or even entire nations, they are conversation stoppers. We do not impugn the motives of those who study corruption, nor do we question the aspirations of those who use the term in broader political discourse. We do, however, wish to encourage restraint and responsibility in corruption talk.

This chapter offers an overview of the history of the idea of corruption in classic philosophical, political, and biblical sources. The aim is to help provide a richer and older context to help us understand the increased contemporary discussions of political corruption. We move then to an accounting of the rhetorical problems inherent in the use of the term today in elite political discourse. We close with some brief recommendations.

A POLITICAL ETYMOLOGY OF CORRUPTION

Most definitions of corruption have similar origins. There are significant senses of corruption that have been forgotten or marginalized in favor of the paradigmatic *quid pro quo* corrupt act. Here we survey three senses of corruption from the tradition: (1) ontological corruption, which we take to be the etymologically central sense from which other senses are drawn, (2) moral corruption, and (3) corruption of an action or agent in an institutional role. This survey suggests two things: first, from these senses of corruption, we can find good reason to talk of institutions being corruptible; second, nevertheless, this meaning does not easily fit with what those broadening the term name "institutional" corruption. There is individual agency in all of these instances, and it is nearly impossible to talk about corruption without affixing blame. This philosophical, moral, and biblical etymology of corruption elucidates the political senses of corruption while also suggesting that we should be skeptical of attempts at new definitions that diverge from this background.

Ontological Corruption

By the ontological, we mean the study of what makes particular beings be what they are. The early Greek philosophers wondered about the fundamental material out of which things are formed: while various pre-Socratics champion earth or air or the unbounded, for example, Aristotle advocates what was to become for centuries the canonical view that earth, fire, air, and water are the four sublunary material elements. Simultaneously, he argues that these material elements are only potentially that thing (they are the thing's potency to be), while a thing's form or actuality causes these elements to cohere into a thing that is one and of a determinate kind. Corruption occurs, therefore, when the material is no longer properly integrated and actualized into the whole: the thing's ceasing to be is a total loss of the unifying and organizing form and shows up as a de-composition, a rot, spoiling, or decay (Greek *phthero*, *diaphtheiro*, *phthoras*; Hindi, *bhrashtaachaar*, Arabic *fassad* is related to *fassouda*), a destruction or dis-integration (Latin *corrumpere*, to break apart, to spoil, destroy; Hindi, *vikaar*). Sublunary things made of the four elements (in contrast to the heavenly bodies) are destructible and destined for decay: things fall apart, it is what they do. That is ontological corruption.[7] Rotting (in its most literal meaning—like the rotting of a tree or an apple) provides an appropriate image of this etymologically basic sense of corruption.

Two senses of ontological corruption can be distinguished: (a) diminished ability to function as the determinate kind of thing the thing is, and (b) full loss of identity as that kind of thing. A thing is made worse as the kind of thing it is, it becomes a less excellent instance of its kind, as its ability to

function as that type of thing is diminished: this is ontological corruption as loss of kind-specific excellence. To be corrupted in this sense is to become worse per se. While a thing can be partly corrupted (broken, damaged, made worse), complete corruption occurs when the principle of integration, identity, is lost entirely. We can still recognize, for example, broken spectacles as spectacles, though they are no longer functional, and at a certain point of loss of functionality, we would say they are no longer spectacles at all. When a thing completely and irreversibly loses the ability to engage in the activity or functioning that defines it as the type of thing it is, it loses its identity as that type of thing. This is corruption as destruction. Its identity has changed, and the name belongs to it only equivocally, derivatively according to what it *was*: what we may still call a man, for example, is really a corpse of a man. As Aristotle says, blind eyes are eyes only equivocally, like a statue's.[8]

This ontological sense is still used, for example, when we speak of a corrupt text in a manuscript or corrupt data on a computer drive. Ontological corruption seems to admit of degrees, where total ontological corruption indicates complete loss of ability to engage in the activities definitive of the thing. There are partial corruptions in which the substance is damaged and can be repaired, at least for a while: the sick sometimes regain their health, a damaged tool sometimes is repaired. While Seumas Miller distinguishes, when speaking of institutional corruption, between passive corrosion and agent-caused corruption, ontological corruption encompasses both the intransitive *falling apart* and the transitive *being intentionally damaged*.[9] This distinction will prove important, however, in making sense of institutional corruption.

Moral Corruption

By the moral we mean the person's affective and practical orientation to the human good. Moral corruption occurs when an individual is no longer affectively and practically oriented toward the good. This seems to admit of degrees. When Socrates is accused of corrupting [*diaphtheironta*] the youth, moral corruption is at issue (Socrates is allegedly making the youth worse human beings and citizens by eroding their commitment to the civic religion). In Plato's *Crito*, Socrates discusses the loss of health that occurs when one disobeys a doctor or trainer as bodily corruption or destruction, and makes an analogy between this and the corruption that results from performing bad, unjust, or shameful actions and that affects "that thing" (the soul or one's practical judgment) by which one discerns the good and bad, just and unjust, noble and shameful.[10] While the former, disease, seems to be a form of ontological corruption causing deterioration of the body (where total corruption entails death), the latter is moral corruption.

In the *Nicomachean Ethics*, Aristotle distinguishes vice from incontinence by explaining that vice corrupts (*phtheiro*) knowledge of the good, that for the sake of which we act.[11] Here moral corruption is explained in terms of a type of ontological corruption, or destruction, of an aspect of the person, namely, one's ability to identify the good to be accomplished through action. We might call someone "a complete degenerate," implying that vice is analogous to ontological corruption or de-generation. Put in another way, if what each person is, most of all is his character, his practical judgment, his reason as oriented toward the good, then a deterioration of this would be corruption of oneself, the person, in the most humanly relevant sense. Or again, if we take moral virtue to be the human person's characteristic excellence, what allows one to function well as a human person, then moral corruption is simply one application of ontological corruption (namely in sense (a): diminished ability to function as the determinate kind of thing the thing is). We can conclude that moral corruption is a special type of ontological corruption, namely, corruption applied to the human being *as an agent*.

In addition to being likened to a *rotting* (the basic root-meaning of corruption), moral corruption is often also analogized to a turning or twisting. Many words for moral corruption in English, for example, carry the sense ultimately of the person erring, turning from the correct path, or the person becoming twisted or crooked, for example, deviant, devious, perverted, depraved, warped (perhaps debauched). Moral corruption appears as a turning away or turning aside or a being distracted from the good. In the Allegory of the Cave, for example, both philosophy and ethics are portrayed as depending upon which way the soul *turns* its attention—toward the light of the Good or toward the lesser objects and lesser goods of the cave.[12] In Aristotle, moral corruption likewise involves a turning of one's desires toward lesser goods, such as external possessions, honor, or pleasure. He describes us as like "sticks that are bent": to unwarp ourselves, we must bend ourselves in the opposite direction, away from the errors to which we are prone, and he warns us to be especially wary of pleasure, which we do not judge "unbribed."[13] A partial moral corruption seems commonly human, and is understood here as a warping or turning, analogous to the turning of attention, affection, and allegiance that occurs in bribery. Loss of the species-specific ability to function decently as a human being involves a turning away from the human good, and this is what the tradition calls moral corruption.

Corruption in the Biblical Sense

Corruption is referred to throughout the Hebrew and Christian testaments, often in its ontological or moral senses. What makes the biblical treatment of corruption especially consequential for our purposes is the way in which

it links bodily ontological with moral corruption, and both of these with a turning away from God, that is, a rupture with God or breaking-apart of our covenantal relationship. In Psalm 15, the psalmist expresses a confident hope in redemption from worldly corruption: "thou wilt not leave my soul in hell, neither wilt thou suffer thine Holy One to see corruption [*diaphthoran*]." Just as the exile from Eden involves the curse of death, the corruptibility of the world and worldly goods seems linked in the biblical conception to a turning away from God. Human sins affect the being of the earth as a whole. In Genesis 6, for example, leading up to the earth's death and rebirth in the flood, the earth itself is said to have been corrupted by human iniquity: "And the Lord God saw the earth, and it was corrupted; because all flesh had corrupted its way upon the earth."

In Malachi 2, corruption is used in connection with the turning or twisting of moral corruption, while also being tied to a breaking of trust and of corruption of one's role. "But ye [the sons of Levi as priests] have turned aside from the way, and caused many to fail in [following] the law: ye have corrupted [*diephtheirate*] the covenant of Levi, saith the Lord Almighty." Wisdom of Solomon 14 displays several senses of corruption tied together. Worldly objects are inherently corruptible, and idolatry is cursed because it calls material objects "god," in a turning away from the higher to the lower, in a betrayal of the object of true loyalty. Thus the ontological corruptibility of the idol is linked to a moral corruption of the idolater ("For the devising of idols was the beginning of spiritual fornication, and the invention of them the corruption [*phthora*] of life."), and the latter causes a general corruption of society involving a plague of evils, which are then enumerated.

In Jonah, God appears as the restorer in the wake of corruption: "I went down into the earth, whose bars are the everlasting barriers: yet, O Lord my God, let my ruined [*phthoras*] life be restored." This theme is amplified in the Christian Testament, in which the world is redeemed from corruptibility and restored through the resurrection of the Christ. Thus, while the world is, on its own, corruptible and corrupted, ontologically and morally, God as redeemer is the means by which the corruptible take on incorruptibility, the mortal acquire immortality, and the immoral regain purity.[14] The Christian Testament likewise links ontological and moral corruption in its rejection of hypocrisy: "For a good tree bringeth not forth corrupt fruit; neither doth a corrupt tree bring forth good fruit."[15]

This tradition appears also in theology. Thomas Aquinas follows other Christian theologians in blaming the original sin for two forms of corruption endemic to human life: moral corruption (the disordering of the powers of the soul) as being the new normal in our fallen state, and bodily corruption (our susceptibility to sickness and death):

> In this [incidental] way the sin of our first parent [Adam] is the cause of death and all such like defects in human nature, in so far as by the sin of our first parent original justice was taken away, whereby not only were the lower powers of the soul held together under the control of reason, without any disorder whatever, but also the whole body was held together in subjection to the soul, without any defect, . . . Wherefore, original justice being forfeited through the sin of our first parent; just as human nature was stricken in the soul by the disorder among the powers . . . , so also it became subject to corruption, by reason of disorder in the body.[16]

Underkuffler's account suggests that the connotations of corruption involve a person being captured by evil in a way that becomes manifest in corrupt actions when the agent is given power. This, furthermore, ruins the person's character and, unless controlled, ruins the person's actions and the trustworthiness of the institution within which the person acts. These connotations are illuminated by the roots of the concept in classical treatments of corruption as ruin and moral decay, but Underkuffler's account makes the most sense in light of the biblical conception. For in the biblical tradition, corruption does not describe merely occasional, particular actions but also an evil state of the human soul that infects other humans and wreaks havoc for our entirely earthly existence. Underkuffler agrees that this conception of corruption is not a proper legal category. Still, it forms part of the deeper context of our accusations of corruption.

Corruption of an Institutional Action or Agent

In *Republic* I, Thrasymachus wished to maintain that justice (which is the goal of the ruler) really amounts to the interests of the stronger (the ruler himself).[17] This obtains, according to Socrates and Thrasymachus' developed argument of book I, not for the ruler "in the precise sense," that is, insofar as he is a ruler, but only for the ruling person who fails to be at that moment what the name "ruler" requires. An analogous conclusion is applied by Socrates to doctors, for example, who are not as such money-makers. The distinction they are drawing—between the role holder as such and the person who happens to hold the role—is a crucial one for understanding the popular meaning of corruption, corruption of or by someone holding an office. In Miller's account, for example, "we can conclude that acts of institutional corruption necessarily involve a corruptor who performs the corrupt action qua occupant of an institutional role and/or someone who is corrupted qua occupant of an institutional role."[18] Miller focuses on this most common sense of corruption, "the corruption of persons in so far as they are occupants of institutional roles."[19]

We refer here to corruption of an institutional agent qua institutional agent as role holder corruption. Role-holder corruption occurs in the context of an

institution in which the role is held. As a role holder in an institution, a person *under a certain aspect* takes on institutional purposes; he is supposed to serve these goods in the way defined by his specific role. An institutional purpose must be distinguished from purposes sought by the role holders *not qua* role holders. For example, making a living may be a goal of the particular judge, motivating his employment, but allowing the judge to make a living is not an institutional purpose of the criminal justice system and is not a purpose of the judge *qua* judge.

There are many ways to describe subcategories of role holder corruption. For instance, we can here distinguish between, on the one hand, (3a) corrupt actions undertaken by a role holder in exercising his role, which we call role-exercise corruption, and, on the other hand, (3b) role holder corruption, which is dispositional and displays itself in such actions. In (3b), the role holder's character as role holder is corrupt. In (3a), role-exercise corruption, the particular actions of a role holder as role holder are corrupt. Namely, these are actions in which he uses his role corruptly: in such actions the role holder exercises the powers of his role for the sake of other purposes rather than for those purposes definitive of his role. It is here, as well, that we might include corrupt practices: when role holder corruption grows common, it can become accepted and the norms about what the roles entail may be forgotten or corrupted.

Role-holder corruption involves the agent's diminished ability to function as the kind of thing he is as holding that role—as a policeman, doctor, judge, etc. Role-holder corruption is a type of ontological corruption, namely, corruption applied to the human being as a particular role holder. Yet to accuse a role holder of being corrupt or engaging in corrupt actions means more than this—for there are many possible causes other than "corruption" of this diminished ability (e.g., sickness, natural disasters, incompetence). What we mean by corruption in the context of institutional role holders involves also a disposition to role-exercise corruption—acts in which the role holder exercises the powers of his role for goods other than the fulfillment of his role. Role-holder and role-exercise corruption share with moral corruption a turning or twisting or erring away by the agent from his proper ends. Thus, like corruption in the biblical sense, role holder and role-exercise corruption blend the ontological corruption and moral senses of corruption, above. The holder of a role in a blameworthy way fails to fulfill the duties prescribed by his role, thereby decaying or destroying his substance as fulfiller of that role. He doesn't do his job. Rather, he is, while holding the role and using the appearance of his role, up to something else. Although he does not discuss ontological corruption, Miller does invoke the concept in connection with role holder corruption:

> If the process [of corruption] proceeds far enough, then we no longer have a corrupt official or corruption of an institutional process or institution; we cease to have a person who can be properly described as, say, a judge. . . . Like a coin that has been bent and defaced beyond recognition, it is no longer a coin.[20]

To use Socrates' example again, a doctor possesses certain duties and prerogatives as a role holder in the medical profession. He may corrupt his role as doctor were he to encourage a patient to adopt a medication not because it is the best treatment for the patient's condition but because the manufacturing company provides him kickbacks or is owned by his cousin. He is not, as he does so, acting like a "real" doctor; he is not fulfilling the characteristic excellence as a doctor. Likewise, someone may fake friendship with another person because the other person is useful to him. When discussing friendships, Aristotle comments, a person

> might complain of another if, when he loved us for our usefulness or pleasantness, he pretended to love us for our character. For . . . when [the person] has been deceived by the pretenses of the other person, it is just that he should complain against his deceiver; he will complain with more justice than one does against people who counterfeit the currency, inasmuch as the wrongdoing is concerned with something more valuable.[21]

The counterfeiting analogy seems apt. Role-exercise corruption involves not only a blameworthy failure to do one's job, but something fraudulent: a leveraging of the prerogatives of one's job or role for the sake of something else. This connects role-exercise and role holder corruption clearly to ontological and moral corruption: in a corrupt institutional action, the role holder is something of a counterfeiter. Thus Dante classifies graft as a type of fraud.[22] Office holders guilty of barratry (he does not use the word for corruption) boil in sticky, black pitch. One of the damned offers a deal to the devils continually forcing him beneath the pitch, and—true to his vice—he betrays the trust and uses the opportunity to run away.

Another subtype of (3a) is what we call transactional corruption. Transactional corruption occurs within an institution in which a role is held and requires that the agent, in a way that misuses his role, exchange with someone else an exercise of his role's prerogatives for something else. Aristotle describes the Spartan office of the Ephors, for example, as susceptible to this type of corruption, and he connects role holder corruption with destruction or ruin (ontological corruption) of the institution: "for certain Ephors were corrupted [*diaphtharentes*] with money and so far as lay in their power ruined the whole state."[23] Exceptional circumstances aside (perhaps cases of coercion), by participating in an action that is transactionally corrupt, the role holder

incidentally corrupts also himself as a role holder.[24] Transactional corruption, if it is dispositional, is the paradigmatic form of role holder corruption, and often a single instance of it is taken as indicative of the overall character of the agent as a role holder: it seems he cannot be trusted. Instead of fulfilling the duties of his role, to which he has a prima facie moral duty, the role holder has twisted himself, turned his concern to other goods; he is simply up to something other than fulfilling his role, thus falsifying or destroying, as far as that one action is concerned, his substance as the holder of that role. Therefore, transactional corruption is a type of corruption in sense (3), corruption of an institutional action or agent, and is essentially related to senses (1) and (2), ontological and moral corruption. Like corruption in the biblical sense, which also blends these two more basic senses, the connotation of corruption of institutional actions and agents is that moral failings carry in their wake a susceptibility to temptation and a corrosion of the world that surrounds us.

In the modern tradition of political thought, corruption is discussed often, and in ways that fit into these senses. Often officeholders are said to be corrupt, and various suggestions are made to avoid such corruption. Many thinkers also discuss what happens when the people themselves are corrupt, either morally corrupt or in their capacity as governable by the laws of the type of regime. Montesquieu, for instance, claims that a constitution or regime is corrupt when it turns away from its principles, and this can happen in various ways.[25] Sometimes the discussion is clearly ontological—regimes become sick and degenerate, as in Hobbes' *Leviathan*.[26] Sometimes, as in Machiavelli's *Discourses,* it is clearly moral, especially when corruption of a people is concerned.[27] Sometimes it is role holder corruption or transactional, as in Rousseau's *On the Social Contract*, where he discusses the "turning" that takes place when the public interest is lost or ignored by those who govern.[28] Because political theorists disagree about the best types of regime, about what constitutes the proper purpose of government, these concepts take on different features for different thinkers.

It has been argued that the meaning of corruption changed during the eighteenth century, shedding some of its moral overtones and adopting a more political/economic cast.[29] This may be so, but during this era and beyond corruption has not lost its connection to persons, to character. Overall, politically relevant corruption—whether of an institution, a regime, a people, or an officeholder—is grounded in the corruption of the persons ruling or the people being ruled. In other words, the major philosophical points of reference for contemporary authors discuss corruption in different contexts, particularly in relation to the modern state with its new conception of the proper nature and purpose of government, but they do not present a definition of corruption that is at odds with those we have discussed above.[30] None, with the partial exception of Montesquieu, characterize corruption as an institutional phenomenon

floating free from failures of persons.[31] As the early modern project involves, in part, the establishment of institutions that derive power from the consent or involvement of the governed, it seems odd to draw from them a theory of institutional corruption that does not implicate individuals.

IMPLICATIONS

These basic, traditional senses of corruption suggest two questions: Where do contemporary discussions of corruption fit in, and why has such discussion increased?

Let us begin with three observations regarding the question of fit. First, note that common instances of individual corruption such as bribery and extortion fit in neatly as instances of role-exercise corruption. The survey has illuminated why we call them corrupt, while also showing that they are not the conceptually primary senses of corruption. It is only in the context of misusing a role, with its prerogatives and duties, that a *quid pro quo* is corrupt, connecting to ontological and moral corruption. (After all, we all engage in non-corrupt *quid pro quo* exchanges on a regular basis—e.g., milk for money) Second, note that transactional corruption by no means has a monopoly on legitimate meanings of corruption. The concept is simply broader. And, third, we can also see easily how one might speak of institutional corruption apart from transactional corruption. An institution might suffer from ontological corruption—a diminution of its ability to function according to the type of human instrument it is, or perhaps such complete loss of functionality that it ceases to be what it was. Yet this mere ontological sense is not generally what contemporary authors mean by "institutional corruption," for institutional *corrosion* should be distinguished from institutional *corruption*.[32] The connotations of the latter require sense (3), role holder and role-exercise corruption. This corruption is not limited merely to transactional, quid pro quos; yet they involve human agents as role holders being corrupted as role holders and engaging in corrupt exercises of their roles. To speak of institutional corruption implies, at a minimum, that our institutions facilitate transactional or role-exercise corruption even if we have chosen not to single out instances of such corruption.

This survey suggests that institutional corruption really involves the corrupt actions of individual role holders rather than something more free-floating. Dennis Thompson's definition of institutional corruption seems to fit here—it is one way, apart from *quid pro quo*s, in which an agent is turned from his proper ends as a role holder.[33] However, any definition of political corruption that implicates institutions and not individuals fits only in sense (1a), as a type of diminished functioning of the institution. A corrupt institution, in this

sense, is merely one that is *worse*, that is falling apart, that is not functioning well. Yet, in political contexts, we should be wary of calling corrupt any institution we deem to function deficiently. Such a definition of institutional corruption makes institutional corruption "corruption" only in the most generic, apolitical ontological sense, failing to distinguish between institutional corrosion and institutional corruption. This is the cost of using the rhetoric of corruption while not wanting to implicate role holders in corruptions of their roles. Consider, however, an imprudent counselor to a senator: insofar as his bad advice influences the senator, and insofar as his senator carries influence in the senate, his influence weakens the effectiveness of the institution.[34] This is not corruption in the morally or institutionally relevant senses on which contemporary claims or theories play rhetorically.

Even though it is not hard to understand the intentions behind much contemporary "corruption talk," that meaning is, as we have shown, somewhat removed from both today's colloquial meaning and the way the word has been used in classic works. In most definitions of corruption, there is a broad agreement that corruption shows a turning away of the agent from his proper ends or function toward more selfish goods (e.g., money, power, honor), or toward a partial interest rather than a common good. This general framework can encompass a wide variety of actions, but ultimately it is not the action itself that is of principal concern. Rather, the corrupt act is taken as a symptom of the corruption *of the person*. An inward truth about the agent has pierced through his public show: the particular act of turning away indicates a condition, an established character, consisting in the agent's perhaps habitual orientation toward these other interests, proving the agent a false or at least undependable servant of his proper ends. It is the process of turning away behind the particular action that is of consequence.

Now let us turn to considering the contemporary increase in corruption talk. We argued above that part of this increase is due to the usefulness of the term as a political weapon. Our political etymology of the word helps us understand why rhetorically it is so useful. Namely, the word carries emotionally powerful connotations that extend beyond its more narrow, transactional sense. The word has a background that connotes not just decay and decline, but a decay and decline whose source is evil, a turning away from the good.

The biblical background in particular provides helpful context, because it mixes the ontological and moral sense of the word in a cosmically significant claim. It is by turning away from the good that people are morally corrupted, and this is not merely a matter of isolated actions or even of a problem of character, but a problem of an evil that infects the whole world. In the biblical tradition, and in the Christian theology that follows it, this moral corruption destabilizes the entire natural order. Likewise, we have a strong sense that corruption destabilizes the entire social and political order. The users of the

word may not explicitly intend to invoke these connotations, just as they tend not to accuse any identifiable and prosecutable persons of corruption in the colloquial sense; still, this is the deep background, the powerful cultural and emotional connotations of the word in the tradition.[35] These connotations make it a natural choice for political rhetoric that aims to describe a large-scale decline and destabilization in our social order, a turning away by some (even if we cannot name them or describe their discrete actions) from the common good.

We contend also that this increase in corruption talk, given that it is not about corruption in the more narrow, colloquial sense, is actually about something else, *something like* corruption in this narrower sense, but harder to name. It is, furthermore, a word that resonates, which suggests that it describes a real phenomenon, a phenomenon that can be analogized to civilizational decay and moral rot. Many people in Western democracies must feel like there is something afoot, and corruption is a close enough word that it makes some sense to use it. The word taps into a common worry. What is this common worry?

Corruption carries important symbolic weight in any democracy, because it seems to be a violation of the principle of rule by the people and for the people. In standard transactional corruption, the official seems no longer to be acting as a representative but freelancing, stifling rule by the people, and the person or interest served is not that part of the common good for the sake of which his office has been assigned, but something or someone else, stifling rule for the people. This symbolic weight of transactional corruption, perhaps, allows the word to be used loosely to express concern about the health of government "by the people and for the people." Political punditry of the 1970s was replete with discussions of "malaise," and political scientists in subsequent years wrote extensively about a "democratic deficit." It has been well documented that citizens of Western democracies have been steadily losing faith in democratic institutions for nearly half a century now.[36] If one wishes to capture anger over this decline, it seems clear to us that "corruption" is a much more dramatic term to use than its competitors. No one would readily enlist in a battle to fight malaise or a democratic deficit.

The corruption people are worried about, then, is related to a sense that our democratic institutions are not adequately acting as representatives of the people or securing the common good as well as they should or did. It is important to note that people can have such a feeling even if it is false: public perceptions can be manipulated, or distorted unintentionally, in many ways, and decline narratives are easy to believe. The problems of today easily seem more common than in the past. Because we don't directly experience the past, we might easily construct illusory golden ages from which we have fallen.

Still, some problems sometimes do get worse. Not all decline narratives are false. Perhaps today's democracies are less adequate than they once were at representing the citizenry or at securing the blessings (or at minimizing the troubles) of liberty—there is certainly ample literature on American politics to support such claims. But this allegation can be true even when particular agents are not guilty of transactional corruption or even of turning away from the good. For example, the adequacy of a government being "by and for" the people can be undermined by the sheer size of our political communities and by the administrative organizations that try to manage them. If citizens feel like their democratic institutions are corroding, becoming less democratic, it is natural to look for people to blame, to look not just for corrosion but for corruption: to look for agency and not merely incompetence or accident. The word "corruption" taps into this. It has long been an effective political tool to rally citizens against a nameless, faceless "other" causing their problems. We might call such people "the funders" (as Lessig does) or "Washington" or "the one percent," or we might coin other amusing names to imply that there are nefarious and possibly evil forces at work.[37] It is harder, and perhaps less satisfying, to blame ourselves or our rules and procedures.

RHETORICAL PROBLEMS

Perhaps we are holding those who allege institutional corruption to too high a standard, when what they prefer to do is not to philosophize but to galvanize, to use the term as a rhetorical tactic. Language changes over time, and as shown above, the meaning of the term "corruption" has also developed. It is beyond our means here to address the question of why language changes (whether naturally or through deliberate decisions by individuals), but we do not mean to suggest that one cannot redefine a term.[38] We mean, instead, to note that if this is the task, it should be owned up to, and the reason for that task—the end—should also be specified.

This returns us to our initial concern; if institutional corruption arguments fail as philosophy, perhaps they succeed as rhetoric. The immediate political goals of this rhetoric are not hard to identify, nor are they goals that we find particularly objectionable. It seems like a good idea for us at least to be open to larger arguments about our political system and the other institutions that dominate our lives. The question is not whether we should have a serious discussion about reform, but rather what sort of frame we should use in that discussion. In addition to its conceptual problems, however, we also find the "corruption" frame to be rhetorically problematic. This is so for three reasons.

First, there is the problem of scale. It is difficult to claim that being "a little bit corrupt" is a sustainable equilibrium (a point Underkuffler makes

repeatedly). It is also difficult to sustain the individual vs. institutional dichotomy; even if we know what the articulators of institutional corruption theories want to say, they're still not actually saying it; we bring the prior connotations of corruption to the table. These two problems make allegations of corruption problematic as an invitation to discourse. One cannot expect either an individual who has been said to be corrupt or a participant in an allegedly corrupt institution to be an eager and open partner in a sincere discussion of alternatives. Were it possible to forge bipartisan unity around the notion that there is corruption out there, not attached to individuals, that might be a plausible venture. But the connotations of the word and our tendency to attach corruption to individuals effectively precludes that.

Second, corruption talk can become contagious. We have argued that claims about corruption succeed only if there is a reference point—an example, real or symbolic—of an uncorrupted actin, officeholder, or institution. If there is no such *shared* starting point, then those making claims about corruption effectively talk past each other, and the word becomes just another partisan accusation. In his earlier work on the U.S. Congress, Thompson recognized this.[39] He describes the manner in which corruption allegations became a political tool in the waning days of the Democratic Party's forty-year long rule in the House of Representatives. Both sides, he argues, took part in a "cycle of accusation" in which each accused the other of corruption. As a result of this, he claims, the charges lost their moral authority, and it became difficult to separate individual from institutional corruption and major ethical violations from minor ones. It is easy to see this taking place now, outside of Congress. A big theory of corruption, especially one that seems to implicate all of us, can make identifying the egregious cases difficult, and can force everyone to choose sides. One might argue that talking about corruption can, in limited doses, be helpful. As Bruce Cain writes, allegations of corruption can be an effective deterrent, even if they are unproven.[40] Political candidates may shy away from questionable activities not because they fear legal sanction but because just being accused of being corrupt may harm them. Corruption, as we have seen, is that powerful of a concept. But if everyone is calling everyone else corrupt, the charge may be less effective.

Third, as we have shown in our survey of philosophical treatments of corruption, when taken away from the individual context, claims about corruption become "epic" in nature. One line of thought holds that corruption is a virtually unstoppable process. This may or may not be true. It is, however, a process that seems much larger than day-to-day politics. Many of the "solutions" that tend to be proposed, however, seem rather small in nature. If, for instance, our institutions are indeed corrupt, why would tinkering with campaign contribution limits redeem them? If we truly have a theory of institutional corruption, then the dramatic solutions should be embraced. We do not endorse

this idea, but it seems like the logical conclusion from the larger theories. If we have something smaller, more manageable, perhaps we can be more polite and talk about changing the mechanics.[41] But it seems hard to advocate both.

CONCLUSIONS

Contemporary corruption talk thus seems ill-suited to express our actual contemporary political concerns. The rhetorical problems we have raised suggest, we would argue, that contemporary corruption talk bears little relationship to corruption research, and that furthermore it runs the risk of distracting us both from more pressing political conversations and from more overt instances of individual corruption. We would argue that those who study political corruption have a responsibility to address this gap.

In making this claim, we do not wish to diminish the value of empirical or conceptual studies of corruption, nor do we wish to discourage would-be reformers from talking about the (very real) ills that we see in contemporary politics. Despite the problems we have always had in defining it, the concept of corruption has a long and rich history. There are, in addition, many similarly useful terms and frames that have been presented in looking at the role of money and self-interest in politics. Corrosion, distortion, influence, and other terms have been used without the pretense that a grand theory is being developed. There is no reason to drop such terms in favor of "corruption." To close with a brief recommendation, let us consider a recent newspaper editorial on money in U.S. politics by Nicholas Kristof.[42] There, Kristof recites many of the familiar yet troubling features of contemporary election politics, variously describing it as "polluted," "egregious," "perverse incentives from a rotten structure," "sad," and "institutionalized sleaze." But not corruption.[43] It is a strongly worded article that raises points about individuals and institutions without stepping into the conceptual morass we have outlined in this paper. Whether one agrees with the sentiments here or not, whether the language chosen in them was adopted with the same concerns in mind that we have, it shows that we can have a heated discussion about politics and our public purpose more broadly without distorting—some might say corrupting—our language for political gain.

NOTES

1. Michael Johnston, *Syndromes of Corruption: Wealth, Power, and Democracy* (New York: Cambridge University Press,, 2005), 11; Robert Klitgaard, *Controlling Corruption* (Berkeley: University of California Press, 1998), 3; Daniel Hays

Lowenstein, "Political Bribery and the Intermediate Theory of Politics," *UCLA Law Review* 32 (April, 1985): 784–851.

2. The United States consistently ranked between the fifteenth and the eighteenth least corrupt nation (among 175) in Transparency International's corruption perception index between, 1995 and 2014. By "newsworthy event" we suggest that a scandal of the magnitude of Watergate might have provided a short-term spike in attention to corruption. We would contend that nothing in the United States over this time period has happened (the Clinton impeachment notwithstanding) that would singlehandedly reach such a level.

3. For example, E. Joshua Rosenkranz, ed., *If Buckley Fell: A First Amendment Blueprint for Regulating Money in Politics* (New York: Century Foundation Press, 1999).

4. Jay Cost, *A Republic No More: Big Government and the Rise of American Political Corruption* (New York: Encounter Books, 2015); Lawrence Lessig, *Republic, Lost* (New York: Twelve Books, 2012); Zephyr Teachout, *Corruption in America: From Benjamin Franklin's Snuff Box to Citizens United* (Cambridge, MA: Harvard University Press, 2014).

5. *Buckley v. Valeo,* 424 US 1 (1976); *Citizens United v. Federal Election Commission*, 558 US 310 (2010).

6. Laura S. Underkuffler, *Captured by Evil: The Idea of Corruption in Law* (New Haven, CT: Yale University Press, 2013).

7. The title of Aristotle's book *On Generation and Corruption*, for example, uses "corruption" (*phthoras*) in this ontological sense. See Aristotle, *The Basic Works of Aristotle*, ed. Richard McKeon (New York: Random House, 1941).

8. Aristotle, *De Anima* 412b, in *The Basic Works of Aristotle.*

9. Seumas Miller, "Corruption," in *The Stanford Encyclopedia of Philosophy* (Spring, 2011 Edition), ed. Edward N. Zalta. On line, http://plato.stanford.edu/archives/spr2011/entries/corruption/ (accessed January 25, 2016).

10. Plato, *Crito*, 47b-e, in Plato, *The Collected Dialogues of Plato*, ed. Edith Hamilton and Huntington Cairns (Princeton, NJ: Princeton University Press, 1961).

11. Aristotle, *Nichomamchean Ethics* 1151a15, in *The Basic Works of Aristotle.*

12. The two occur together nicely in *Euthydemus* 275b: "He [Cleinias] is young; and so we have fears for him, as well one may for a young man, lest someone forestall us and turn his inclination to some other course of life, and so corrupt [*diaphtheiro*] him." In Plato, *The Collected Dialogues of Plato.*

13. Aristotle, *Nichomachean Ethics* II.9, 1109b8–9, in *The Basic Works of Aristotle.*

14. 1 Corinthians 15.

15. Luke 6:43.

16. St. Thomas Aquinas, *Summa Theologiae*, ed. Brian Leftow and Brian Davies (New York: Cambridge University Press, 2006), I-II Q 85 a 5.

17. Plato, *Republic*, 341–354, in *The Collected Dialogues of Plato.*

18. Miller, "Corruption."

19. Seumas Miller, "Noble Cause Corruption in Politics," in *Politics and Morality.* Ed. Igor Primoratz (New York: Palgrave MacMillan, 2007), 93.

20. Miller, "Noble Cause Corruption in Politics," 96–97.

21. Aristotle, *Nicomachean Ethics* IX.3, 1165b4–14, in *The Basic Works of Aristotle.*

22. Dante Alighieri, *Dante's Inferno*, ed. and trans. Mark Musa (Bloomington: Indiana University Press, 1995), canto 22.

23. Aristotle, *Politics* 1270b, in *The Basic Works of Aristotle.*

24. Miller, "Noble Cause Corruption in Politics."

25. Charles de Secondat Montesquieu, *The Spirit of the Laws,* trans. Anne Cohler, Basia Miller, and Harold Stone (New York: Cambridge University Press, 1989), Part I, Book 8.

26. Thomas Hobbes, *Leviathan*, ed. Edwin Curley (Indianapolis, IN: Hackett Publishing Co, 1994), Part II, ch. 29.

27. Niccolò Machiavelli, *The Prince and the Discourses*, ed. Max Lerner (New York: McGraw-Hill, 1950), I-35, I-42, I-49.

28. Jean-Jacques Rousseau, *On the Social Contract*, ed. and trans. Roger G. Masters and Judith R. Masters (Boston, MA: Bedford St. Martins, 1978), Book 2, Chapter 3; Book 3, Chapter 4.

29. Bruce Buchan and Lisa Hill, *An Intellectual History of Corruption* (London: Palgrave Macmillan, 2014).

30. e.g. J. Patrick Dobel, "The Corruption of a State," *American Political Science Review* 72 (September, 1978): 958–73 on Machiavelli and Rousseau; J. Peter Euben, "On Political Corruption," *Antioch Review* 36 (January,1978): 103–118 on Machiavelli; Teachout, *Corruption in America,* 38–43, on Montesquieu.

31. Montesquieu describes corruption as a process in which regimes deviate from their organizing principles. This notion has been described by some as a commentary on institutional bodies. Elsewhere in the *Spirit of the Laws* (p. 48), however, Montesquieu clearly implicates corrupt individuals as the agents of this sort of deviation, thus connecting this institutional deviation with moral or role holder corruption.

32. Miller, "Noble Cause Corruption in Politics."

33. Dennis F. Thompson, "Two Concepts of Corruption," Edward J. Safra Research Lab Working Paper #16, Harvard University, 2013.

34. This is merely, as Hobbes (*Leviathan*, Part II, ch. 25) discusses, bad advice, the sort of thing that should be avoided lest it lead to more serious problems.

35. This is a point MacIntyre makes about discussions of virtue—we cannot use a moral term without drawing upon connotations that have attached to that term over time. See Alasdair MacIntyre, *After Virtue* (South Bend, IN: University of Notre Dame Press, 1981), chapter 12.

36. See, for example, Russell J. Dalton, *Democratic Challenges, Democratic Choices: The Erosion in Political Support in Advanced Industrial Democracies* (New York: Oxford University Press, 2004).

37. Lessig, *Republic Lost.*

38. See John R. Searle, *Making the Social World* (New York: Oxford University Press, 2009), 104, on this point: "One sees the role of the vocabulary in the activities of revolutionary and reformist movements. They try to get hold of the vocabulary in order to alter the system of status functions. . . . We get away with it to the extent that we can get other people to accept it."

39. Dennis F. Thompson, *Ethics in Congress: From Individual to Institutional Corruption* (Washington, DC: Brookings Institution, 1995), 47.

40. Bruce Cain, *Democracy More or Less: America's Political Reform Quandary* (New York: Cambridge University Press, 2015), 190.

41. Although as Cain (*Democracy More or Less*, chapter 1) notes, it can become hard in such circumstances to separate reforms that aim to reduce corruption from reforms that just seem like good ideas.

42. Nicholas Kristof, "Polluted Political Games," *New York Times*, May 28, A25.

43. Kristof does refer to corruption twice, but in one instance he is quoting someone else, and in the other he points out that he has "covered corrupt regimes all over the world, and [. . . finds] it ineffably sad to come home and behold institutionalized sleaze in the United States." So there is corruption in other places, but he is not labeling what he is lamenting in the United States as corruption.

BIBLIOGRAPHY

Aquinas, St. Thomas. *Summa Theologiae*, ed. Brian Leftow and Brian Davies. New York: Cambridge University Press, 2006.

Aristotle. *The Basic Works of Aristotle*, ed. Richard McKeon. New York: Random House, 1941

Buchan, Bruce, and Lisa Hill. *An Intellectual History of Corruption*. London: Palgrave Macmillan, 2014.

Cain, Bruce. *Democracy More or Less: America's Political Reform Quandary*. New York: Cambridge University Press, 2015.

Cost, Jay. *A Republic No More: Big Government and the Rise of American Political Corruption.* New York: Encounter Books, 2015.

Dalton, Russell J. *Democratic Challenges, Democratic Choices: The Erosion in Political Support in Advanced Industrial Democracies*. New York: Oxford University Press, 2004.

Dante Alighieri. *Dante's Inferno*, ed. and trans. Mark Musa. Bloomington: Indiana University Press, 1995.

Dobel, J. Patrick. "The Corruption of a State." *American Political Science Review* 72 (September, 1978): 958–73.

Euben, J. Peter. "On Political Corruption." *Antioch Review* 36 (January1978): 103–118.

Hobbes, Thomas. *Leviathan*, ed. Edwin Curley. Indianapolis, IN: Hackett Publishing, 1994.

Johnston, *Michael. Syndromes of Corruption: Wealth, Power, and Democracy*. New York: Cambridge University Press, 2005.

Klitgaard, Robert. *Controlling Corruption*. Berkeley: University of California Press, 1988.

Kristof, Nicholas. 2015. "Polluted Political Games." *New York Times*, May 28.

Lessig, Lawrence. *Republic, Lost*. New York: Twelve Books, 2012.

Lowenstein, Daniel Hays, "Political Bribery and the Intermediate Theory of Politics." *UCLA Law Review* 32 (April, 1985): 784–851.

Machiavelli, Niccolo. *The Prince and the Discourses*, ed. Max Lerner. New York: McGraw-Hill, 1950.

MacIntyre, Alasdair. *After Virtue.* South Bend, IN: University of Notre Dame Press, 1981.

Miller, Seumas. 2007. "Noble Cause Corruption in Politics." In *Politics and Morality.* Ed. Igor Primoratz. New York: Palgrave MacMillan, 92–112.

Miller, Seumas. 2011. "Corruption." In *The Stanford Encyclopedia of Philosophy* (Spring, 2011 Edition), ed. Edward N. Zalta. http://plato.stanford.edu/archives/spr2011/entries/corruption/.

Montesquieu, Charles de Secondat. *The Spirit of the Laws.* Anne Cohler, Basia Miller, and Harold Stone translation. New York: Cambridge University Press, 1989.

Plato. *The Collected Dialogues of Plato*, ed. Edith Hamilton and Huntington Cairns. Princeton, NJ: Princeton University Press, 1961.

Rosenkranz, E. Joshua, ed. If Buckley Fell: *A First Amendment Blueprint for Regulating Money in Politics.* New York: Century Foundation Press, 1999.

Rousseau, Jean-Jacques.. *On the Social Contract*, ed. and trans. Roger G. Masters and Judith R. Masters. Boston, MA: Bedford St. Martins, 1978.

Searle, John R. *Making the Social World.* New York: Oxford University Press, 2009.

Teachout, Zephyr. *Corruption in America: From Benjamin Franklin's Snuff Box to Citizens United.* Cambridge, MA: Harvard University Press, 2014.

Thompson, Dennis F. E*thics in Congress: From Individual to Institutional Corruption.* Washington, DC: Brookings Institution, 1995.

Thompson, Dennis F. 2013. "Two Concepts of Corruption." Cambridge, MA: Edward J. Safra Research Lab Working Paper #16, Harvard University.

Underkuffler, Laura S. *Captured by Evil: The Idea of Corruption in Law.* New Haven, CT: Yale University Press, 2013.